

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., a
Delaware corporation, TEZOS
STIFTUNG, a Swiss Foundation,
KATHLEEN BREITMAN, an
Individual, ARTHUR BREITMAN,
an Individual, TIMOTHY COOK DRAPER, an
individual, DRAPER ASSOCIATES, JOHANN
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-
KRUMMACHER, BITCOIN SUISSE AG,
NIKLAS NIKOLAISEN and DOES 1-100,
INCLUSIVE,

Defendants.

Case No. 3:17-cv-07095-RS

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S *EX PARTE*
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
ORDER TO SHOW CAUSE WHY A
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE**

1 This matter comes before the Court on the application of Plaintiff Bruce MacDonald (“Plaintiff”)
2 for an Order pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2) permitting Plaintiff to
3 serve Defendants Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) by electronic means
4 at additional newly identified email addresses.

5 Having reviewed the materials submitted and being fully advised, the Court GRANTS Plaintiff’s
6 application as follows:
7

8 1. The Court GRANTS the Application, finding that Plaintiff has shown (1) Defendants
9 Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) are not within any judicial district of
10 the United States; (2) service by electronic means is not prohibited by any international agreement,
11 (3) service by the electronic means specified below comports with constitutional notions of due
12 process and is reasonably calculated to apprise the Swiss Defendants of the pendency of the action
13 and afford them an opportunity to respond.
14

15 2. The Court hereby orders that Plaintiff may effect service on the above-identified
16 defendants at the following additional email addresses:

- 17 a. Upon **Diego Ponz (aka Diego Olivier Fernandez)** by email to
18 diegoolivierfernandezpons@gmail.com.
19 b. Upon **Johann Gevers** by email to johann@gevers.net
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21
22 **DATED:**

The Hon. Richard Seeborg
United States District Judge
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Presented by:

DATED: December 15, 2017

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